

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VICTOR E. GROSSETTI, JR., *on behalf of*
Estate of Page Llewellyn Jackson, III,

Plaintiff,

-against-

COMMISSIONER OF INTERNAL
REVENUE,

Defendant.

19-CV-6784 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated September 26, 2019, the Court denied the application to proceed *in forma pauperis* (“IFP”) and directed Plaintiff to pay the \$400.00 in fees required to bring an action in this Court. The Court further directed Plaintiff to file an amended complaint within sixty days. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not paid the relevant fees or filed an amended complaint. Accordingly, the Court dismisses the complaint without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

The Clerk of Court is directed to note service on the docket. Plaintiff has consented to receive electronic service of Court filings. (ECF No. 3.) The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 17, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge